UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,158	01/18/2002	Jong-Phil Kim	P56642	3877

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Robert E. Bushnell
Suite 300
1522 K Street, N.W.
Washington, DC 20005-1202

EXAMINER
BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/050,158	KIM, JONG-PHIL
	Examiner	Art Unit
	Dennis G. Bonshock	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _09 November 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _1-4-05_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Final Rejection

Response to Amendment

1.   It is hereby acknowledged that the following papers have been received and

placed on record in the file: Amendment as received on 11-09-04.

2.   Claims 1-20 have been examined.

Status of Claims:

3.   Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Pond et

al., patent #5,886,690, hereinafter Pond.

4.   Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pond

and van Zoest et al., patent #6,496,802, hereinafter van Zoest.

Claim Objections

5.   Claim 8 is objected to because of the following informalities: the amended

portion of the claims doesn't seem to flow grammatically "... changing the selected file

with a from one of the files..." Appropriate correction is required.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention.was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Pond et

al., patent #5,886,690, hereinafter Pond.

8.   With regard to claim 1, which teaches a file list display apparatus, comprising: an

input unit for inputting a display command for displaying a sub-list having a

predetermined number of files selected in an entire list of the files recorded in a

recording medium, Pond teaches, in column 5, lines 22-40, column 6, lines 3-10, in

column 7, lines 21-28, and figures 2 and 5, a control unit for inputting commands to

display a sub-list having a predetermined number of channels (files) with associated

programs (files), from the set of all channels (files), the sub-list created from

downloading, to memory storage hardware, a list of available channels (number for

files) and associated programs (files) from an appropriate source. With regard to claim

1, further teaching a display unit for displaying the sub-list, Pond teaches, in column 3,

lines 50-58 and figure 1, the use of a display unit to show the lists. With regard to claim

1, further teaching a controller for creating one or more sub-lists from the entire list,

each sub-list being different from the other sub-lists, and controlling the display unit to

successively display each of the sub-lists through the display unit when ever the display

command is input through the input unit, Pond teaches, in column 5, lines 22-40, a

creating of the pages from the list of all channels, with all corresponding programs, and

the ability to navigate through the different pages, each comprising a different set of

elements.

9.   With regard to claims 2 and 11, which teach the sub-lists being created by

grouping the files successively listed in the entire list by the predetermined number of

files, Pond teaches, in column 5, lines 22-52, the grouping of successive channels, and

associated programs into sub groups displayable as pages, by the predetermined

number (ten in this case).

10.   With regard to claims 3 and 12, which teach the display command including: a

forward display command for successively displaying the sub-lists according to a

forward list order of the files, and a backward display command for successively

displaying the sub-lists according to a backward list order of the files, Pond teaches, in

column 5, lines 22-32, the user inputting a command to page by pressing the [PAGE]

button, then the user can traverse through the sub-lists of channels in either a forward

or backward manner through the use of the up and down arrow keys.

11.   With regard to claim 4, which teaches the input unit being a manipulation panel

having a plurality of manipulation buttons for inputting the display command, Pond

teaches, in column 5, lines 22-32, a plurality of buttons for inputting display commands.

12.   With regard to claim 5, which teaches the display command being input by a

combination of no more than two of the manipulation buttons, Pond teaches, in column

5, lines 22-32, the user inputting a command to page by pressing the [PAGE] button,

then the user can traverse through the sub-lists of channels in either a forward or

backward manner through the use of the up and down arrow keys.

13.   With regard to claim 6, which teaches the manipulation buttons including a

forward skip button, a backward skip button and a mode set-up button, and the forward

display command is input by a combination of the forward skip button and the mode set-

up button, and the backward display command is input by a combination of the

backward skip button and the mode set-up button, Pond teaches, in column 5, lines 22-

32, the user inputting a command to page by pressing the [PAGE] button, then the user

can traverse through the sub-lists of channels in either a forward or backward manner

through the use of the up and down arrow keys.

14.   With regard to claim 7, which teaches the forward skip button being a button for

inputting an update command for updating one of the files in the sub-list according to

the forward list order, and the backward skip button being a button for inputting an

update command for updating one of the files in the sub-list according to the backward

list order, Pond teaches, in column 5, lines 40-52, that when the up and down arrow

keys a pressed without the [PAGE] button the channels change sequentially in the order

they are listed.

15.   With regard to claim 8, which teaches a cursor button for selecting at least one of

the files in the sub-list, wherein the updating of the files by the forward skip button and

the backward skip button is performed in regard to the file selected by the cursor button

by changing the selected file with a from one of the files of sequentially previous sub-list

or a sequentially subsequent sub-list respectfully, Pond teaches, in column 8, lines 1-

16, a [SELECT] button for selecting items from the lists, from which forward and

backward movements through the channels can be made.

16.   With regard to claim 9, which teaches a detection unit for detecting the entire list

from the recording medium and a storage unit for string the entire list detected by the

detection unit, wherein the controller creates the sub-list from the entire list stored in the

storage unit, Pond teaches, in column 5, lines 22-32 and in column 11, lines 17-24,

memory units for storing the list of all available channels and a controlling element for

creating a sub-list of channels.

17.   With regard to claim 10, which teaches reading an entire list of files recorded in a

recording medium and creating one or more sub-lists having a predetermined number of

files selected in the entire list, each sub-list being different from the other sub-lists,

whenever a display command is input, Pond teaches, in column 5, lines 22-40, column

6, lines 3-10, in column 7, lines 21-28, and figures 2 and 5, a control unit for inputting

commands to display a sub-list having a predetermined number of channels (files) each

with associated programs (files), from the set of all channels (files) and associated

programs (files), the sub-list created from downloading, to memory storage hardware, a

list of available channels (number for files), and associated programs, from an

appropriate source. With regard to claim 10, further teaching successively displaying

each of the sub-lists created in the creating step whenever the display command is

input, Pond teaches, in column 5, lines 22-40, a creating of the pages from the list of all

channels, and associated programs, and the ability to navigate through the different

pages, each comprising a different set of elements.

18.   With regard to claim 13, which teaches the sub-lists are created from the stored

entire list, Pond teaches, in column 5, lines 22-32, creating sub-lists from a stored list of

all available channels.

19.   With regard to claim 14, which teaches a method of controlling a file list display

apparatus having a plurality of files of data recorded on a vast-capacity recording

medium, the method comprising: detecting all the files recorded on the vast-capacity

recording medium and storing a list of the detected files in a storage unit separate from

the vast-capacity recording medium, Pond teaches, in column 5, lines 22-40, column 6,

lines 3-10, in column 7, lines 21-28, and figures 2 and 5, a control unit for inputting

commands to display a sub-list having a predetermined number of channels (files), with

associated programs (files), from the set of all channels (files) and all associated

programs (files), the sub-list created from downloading, to memory storage hardware, a

list of available channels (number for files), and associated programs, from an

appropriate source (remote storage location). With regard to claim 14, further teaching

creating a sub-list of the list stored in the storage unit and displaying the sub-list, Pond

teaches, in column 5, lines 22-32, the creation and display of a sub-list pulled from the

list of all available channels, and all associated programs. With regard to claim 14,

further teaching detecting an input of a display command or a skip command and

displaying a net sub-list or a previous sub-list, when the display command is detected,

Pond teaches, in column 5, lines 22-32, the user inputting a command to page by

pressing the [PAGE] button, then the user can traverse through the sub-lists of

channels, with associated programs in either a forward or backward manner through the

use of the up and down arrow keys. With regard to claim 14, further teaching displaying

when a skip command is detected a list in a forward or backward sequential on-by-one

scrolling manner having no more than a predetermined number of files in the list

displayed at any one time, Pond teaches, in column 5, lines 40-52, that when the up

and down arrow keys a pressed without the [PAGE] button the channels change

sequentially in the order they are listed.

20.   With regard to claim 15, which teaches the skip command being detected by
determining whether a rewind button or a fast forward button has been activated, Pond
teaches, in column 5, lines 40-52, that when the up and down arrow keys a pressed
without the [PAGE] button the channels change sequentially in the order they are listed.

21.   With regard to claim 16, which teaches the display command being detected by
detecting activation of a mode button in combination with activation of a rewind button
or a fast forward button, Pond teaches, in column 5, lines 22-32, the user inputting a
command to page by pressing the [PAGE] button, then the user can traverse through
the sub-lists of channels in either a forward or backward manner through the use of the
up and down arrow keys.

22.   With regard to claim 17, which teaches the display command being detected by
detecting activation of either of a rewind button and a fast forward button when a mode
button is in an on state, and the skip command being detected by detecting activation of
either of the rewind button and the fast forward button when the mode button is in an off
state, Pond teaches, in column 5, lines 22-32, the user inputting a command to page by
pressing the [PAGE] button, then the user can traverse through the sub-lists of channels
in either a forward or backward manner through the use of the up and down arrow keys
and further teaches, in column 5, lines 40-52, that when the up and down arrow keys a
pressed without the [PAGE] button the channels change sequentially in the order they
are listed.

23.   With regard to claim 18, which teaches the sub-list comprising a different group
of the files, each group comprising the predetermined number of files, Pond teaches, in

column 5, lines 26-32, displaying sub-listings of channels in different groups comprising

a specified number of channels.

24.   With regard to claim 19, which teaches the files being grouped sequentially to

form the sub-lists, Pond teaches, in column 5, lines 22-32, a grouping of files listed

sequentially.

Claim Rejections - 35 USC § 103

25.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

26.   Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pond

and van Zoest et al., patent #6,496,802, hereinafter van Zoest.

27.   With regard to claim 20, Pond teaches a system for displaying sub-lists of a list of

files, where the files consist of entertainment data (see column 4, lines 5-8), but doesn't

teach the files being music files and grouped according to song title, album, artist, and

genre. Van Zoest teaches a system for providing electronic works to a user in a list form

where the list can be separated into sub-lists if it comprises more that 250 elements

(see column 2, lines 20-30, column 8, line 55 through column 9, line 10, and figure 8),

but further teaches, in column 11, lines 31-49 and column 8, line 55 through column 9,

line 10, and figure 8, the data being music data, organized according to track name,

album, artist, and genre. It would have been obvious to one of ordinary skill in the art,

having the teachings of Pond and van Zoest before him at the time the invention was

made to modify the system for displaying entertainment data in sub-list form of Pond, to

include music data organized by track name, album, artist, and genre. One would have

been motivated to make such a combination because Ponds system would provide the

same quick maneuverability with music as it did with movies, and further Pond stated

the use of his system for entertainment data.

Response to Arguments

28.   The arguments filed on 11-09-04 have been fully considered but they are not

persuasive. Reasons set forth below.

29.   The applicants' argue that there is no mention in Pond of an entire list of the files

recorded in a recording medium.

30.   In response, the examiner respectfully submits that Pond teaches, in column 5,

lines 22-40, column 6, lines 3-10, in column 7, lines 21-28, and figures 2 and 5, a

control unit for inputting commands to display a sub-list having a predetermined number

of channels (files), from the set of all channels (files), the sub-list created from

downloading, to memory storage hardware, a list of available channels (number for

files) from an appropriate source. Pond teaches the entire list stored a remote location

and portions of the entire list being downloaded, as needed, to memory at the users

receiver.

31.   The applicants' argue that there is no mention in Pond of detecting all the files

recorded on the vast-capacity recording medium, and further storing a list of said

detected files in a storage unit separate from the vast-capacity recording medium.

32.   In response, the examiner respectfully submits that Pond teaches, in column 5,

lines 22-40, column 6, lines 3-10, in column 7, lines 21-28, and figures 2 and 5, a

control unit for inputting commands to display a sub-list having a predetermined number

of channels (files), from the set of all channels (files), the sub-list created from

downloading, to memory storage hardware, a list of available channels (number for

files) from an appropriate source (remote storage location). Pond teaches the entire list

stored a remote location and portions of the entire list being downloaded, as needed, to

memory at the users receiver. It is further noted that the displayed data must be stored

in a buffer for display.

33.   The applicants' argue that there is no mention in Pond of the word "file" nor the

term "entertainment data"

34.   In response, the examiner respectfully submits that a file is any collection of

information and it would be clear to any one with knowledge in the art that the sets of

channel information are files. It is further clear that Pond is referring to "entertainment

data", in column 4, lines 5-8 and in column 5, lines 22-40, which teaches a control unit

to operate entertainment equipment where the control unit pages through the channel

information (entertainment data). It is further submitted by the examiner that the terms

"file" or "entertainment data" are logical equivalents for ideas taught by the Pond

reference. A "file" is defined as: "A complete, named collection of information, such as a

program, a set of data used by a program, or a user created document. A file is the

basic unit of storage that enables a computer to distinguish one set of information from

another. A file is the "glue" that binds a conglomeration of instructions, numbers words,

or images into a coherent unit that a user can retrieve, change, delete, save, or send to an output device." (see Microsoft dictionary, page 211) It is clear that each channel or program is a named set of data that has associated show information.

35.   The applicants' argue that there is no motivation to combine the Pond and van Zoest references.

36.   In response, the examiner respectfully submits that van Zoest teaches a system for providing electronic works to a user in a list form where the list can be separated into sub-lists if it comprises more that 250 elements (see column 2, lines 20-30, column 8, line 55 through column 9, line 10, and figure 8), this is similar to that of Pond which divides a long list into segments to allows for sequential display to a user.

Conclusion

37.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

38.   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
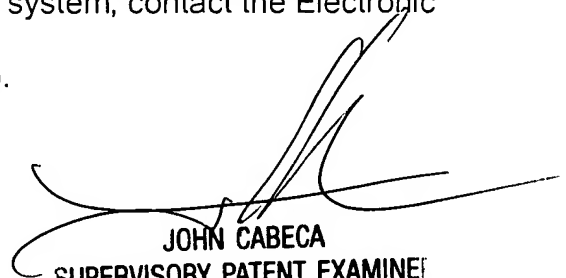
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

39.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

40.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

41.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3-29-05
dgb

JOHN CABECA
SUPERVISORY PATENT EXAMINEF
TECHNOLOGY CENTER 2100